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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Albert K. Chin

APPLICATION NO.: 10/087,089

FILING DATE: February 27, 2002

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TITLE: Temporary Arterial Shunt and Method

OCT 31 2002

EXAMINER: Unassigned

TECHNOLOGY CENTER R3700

GROUP ART UNIT: 3761

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ATTY. DKT. NO.: 80121-06652

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Washington, D.C. 20231, on the date shown below:

Dated: 10/25/02

By: A.C. Smith

Albert C. Smith, Reg. No.: 20,355

COMMISSIONER FOR PATENTS  
WASHINGTON, DC. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO-1449/PTO-8A listing references for consideration by the Examiner. Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;

- before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
  - attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
  - Applicant certifies pursuant to 37 CFR § 1.97(e) that:
    - each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
    - no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
  - Applicant certifies pursuant to 37 CFR. § 1.97(e) that:
    - each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; or
    - no item of information contained in this Information Disclosure Statement was cited in a communication from a

foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

- attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
- after the payment of the issue fee. Applicant request that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. [APPLICATION NUMBER], filed on [FILING DATE], and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).
- Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

Respectfully submitted,  
ALBERT K. CHIN

Dated: 10/25/02

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Substitute for form 1449A/PTC

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

<i>Complete if Known</i>	
<b>Application No.</b>	10/087,089 *
<b>Filing Date</b>	February 27, 2002
<b>First Named Inventor</b>	Albert K. Chin
<b>Art Unit</b>	3761
<b>Examiner Name</b>	Unassigned
<b>Attorney Docket Number</b>	80121-06652

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Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.1

**Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.**

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

80121/06652/DOCS/1306314.1

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PTO/SB/21 (modified)  
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U.S. Department of Commerce  
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## TRANSMITTAL FORM

*(to be used for all correspondence during pendency of filed application)*

Application Number	10/087,089		
Filing Date	February 27, 2002		
First Named Inventor	Albert K. Chin		
Group Art Unit Number	3761		
Examiner Name	Unassigned		
Total Number of Pages in This Submission	**5	Attorney Docket Number	80121-06652

### ENCLOSURES (check all that apply)

- Fee Transmittal Form (in duplicate)
  - Check Enclosed
- Return Receipt Postcard
- Response to Notice to File Missing Parts
- Assignment & Recordation Cover Sheet
- Declaration
- Power of Attorney
- Application Data Sheet
- Supplemental Information Disclosure Statement & PTO-1449
  - Copies of IDS Cited References
- Request for Corrected Filing Receipt
- Request for Correction of Recorded Assignment
- Amendment/Response: [ ] Page(s)
  - After Final
- Status Request
- Revocation and Substitute Power of Attorney

- Issue Fee Transmittal
- Letter to Chief Draftsperson
- Formal Drawing(s):
  - [ ] Sheet(s) of Figure(s) [ ]
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Certified Copy of Priority Document(s)
- After Allowance Communication to Group
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REMARKS: \*\* "Total Number of Pages in this Submission" does not include cited references.

### SIGNATURE OF ATTORNEY OR AGENT

Signature:	<i>A. C. Smith</i>	
Attorney/Reg. No.:	Albert C. Smith, Reg. No. 20,355	Dated: 10/25/02

### CERTIFICATE OF MAILING

I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.

Signature:	<i>A. C. Smith</i>	
Typed or Printed Name:	Albert C. Smith	Dated: 10/25/02
Express Mail Mailing Number (optional):		

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